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TOSHIBA CORPORATION, et al.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

HYNIX SEMICONDUCTOR INC.,  
  
Plaintiff,  
  
v.  
  
TOSHIBA CORPORATION, ET AL.  
  
Defendants.

AND RELATED COUNTERCLAIM.

Case No. C04-04708 VRW

**Related Cases:**  
C05-4547 VRW; C05-4016 VRW;  
C05-4100 VRW

**STIPULATION AND ~~[PROPOSED]~~  
ORDER EXTENDING DEADLINE FOR  
MEDIATION**

1           Whereas the Court's Civil Pretrial Minute Order of August 22, 2006, directs the Parties to  
2 complete a mediation in the above-captioned cases on or before December 1, 2006;

3           Whereas the Parties have agreed to conduct a mediation before the Hon. Eugene F. Lynch  
4 (ret.);

5           Whereas, on November 2, 2006, the Parties submitted a Stipulation and [Proposed] Order  
6 Extending Deadline for Mediation from December 1, 2006 to December 15, 2006 in order to complete  
7 the mediation before Judge Lynch;

8           Whereas, on November 6, 2006, the Court extended the deadline to complete a mediation to  
9 December 15, 2006 by Order;

10          Whereas the Parties have been and are continuing to meet without counsel to discuss  
11 settlement;

12          Whereas the Parties would like to make further progress before the mediation and believe the  
13 mediation would be more helpful in settlement after further discussions to narrow the issues;

14          Whereas the next agreeable date on which the Parties could schedule the mediation before  
15 Judge Lynch is January 29, 2007, and whereas the Parties agree to participate in mediation on that  
16 date if still necessary;

17          The Parties hereby stipulate and agree as follows:

18           1) The deadline to complete a mediation in the above-captioned matters shall be extended to  
19 February 1, 2007 so that the Parties may complete their mediation before Judge Lynch;

20           2) The extensions of time provided in the preceding two paragraphs do not alter any further  
21 deadlines previously agreed by the Parties or set by the Court.

22  
23 IT IS SO STIPULATED.  
24  
25  
26  
27  
28

1 Dated: December 7, 2006

2 TOWNSEND and TOWNSEND and CREW LLP

3  
4 By: /s/ Theodore G. Brown, III

5 Daniel J. Furniss  
6 Theodore G. Brown, III  
7 William J. Bohler  
Eric P. Jacobs  
Robert A. McFarlane

8 Attorneys for Plaintiff and Counterdefendant  
9 HYNIX SEMICONDUCTOR INC.

10 Dated: December 7, 2006

11 DLA PIPER US LLP

12  
13 By: /s/ Vincent Lam

14 Mark Fowler  
15 Megan Olesek  
Vincent Lam

16 Attorneys for Defendants and Counterclaimants  
17 TOSHIBA CORPORATION, et al.

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 8, 2006



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THE HONORABLE VAUGHN R. WALKER  
United States District Judge

**GENERAL ORDER 45 ATTESTATION**

I, Vincent Lam, am the ECF user whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER EXTENDING DEADLINE FOR MEDIATION. In compliance with General Order 45, X.B., I hereby attest that Theodore G. Brown, III has concurred in this filing.

Dated: December 7, 2006

DLA PIPER US LLP

By: /s/ Vincent Lam  
Vincent Lam

Attorneys for Defendants and Counterclaimants  
TOSHIBA CORPORATION, et al.